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Attorneys for Mr. Duarte

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA  
 (HONORABLE BARBARA L. MAJOR)

UNITED STATES OF AMERICA,	)	Criminal No. 08MJ0284-BLM
	)	
Plaintiff,	)	Date: February 28, 2008
	)	Time: 9:00 a.m.
v.	)	
	)	<b>DEFENDANT'S NOTICE OF MOTIONS AND</b>
ORLANDO DUARTE-CELESTINO,	)	<b>MOTIONS TO SUPPRESS BASED ON</b>
	)	<b><u>MIRANDA</u> VIOLATION, SUPPRESS BASED,</b>
Defendant.	)	<b>ON ILLEGAL ARREST AND DETENTION,</b>
	)	<b>DISMISS BASED ON EIGHTH</b>
	)	<b>AMENDMENT, AND DISMISS BASED ON</b>
	)	<b>SELECTIVE PROSECUTION AND</b>
	)	<b>OUTRAGEOUS GOVERNMENT CONDUCT</b>

PLEASE TAKE NOTICE that on Thursday, February 28, 2008, Defendant Orlando Duarte-Celestino, by and through counsel, Todd W. Burns, and Federal Defenders of San Diego, Inc., will ask this Court to enter an order: (1) suppressing statements due to Miranda violation; (2) suppressing evidence, or dismissing, due to illegal arrest and detention; (3) dismissing based on Eighth Amendment (status offense); and (4) dismissing based on selective prosecution and outrageous government conduct.

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These motions are based on all relevant law and facts, and are supported by Mr. Duarte's accompanying memorandum of points and authorities.

Respectfully submitted,

Dated: February 11, 2008

/s/ TODD W. BURNS  
TODD W. BURNS  
Federal Defenders of San Diego, Inc.  
Attorneys for Ms. Lexin  
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